

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KAMAL ROY, *pro se*,
Plaintiff,

-against-

WE THE PEOPLE,
Defendant.

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KAMAL ROY, *pro se*,
Plaintiff,

-against-

WE THE PEOPLE,
Defendant.

-----X

KAMAL ROY, *pro se*,
Plaintiff,

-against-

GRAMLEGEEK-BLOG,
Defendant.

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IRIZARRY, DORA L., United States District Judge:

Plaintiff Kamal Roy (“Plaintiff”), proceeding *pro se*, filed these actions on June 29, 2007, August 9, 2007, and November 15, 2007. Plaintiff’s requests to proceed *in forma pauperis* are granted for the limited purpose of this Order. For the reasons set forth below, the actions are dismissed.

Each of Plaintiff’s recent submissions consist of numerous incomprehensible pages. Some of these pages contain type-written statements that appear to be cut and pasted from Internet pages; others are copies of correspondence from treating physicians, the New York State Workers’ Compensation Board, the Internal Revenue Service, and the Social Security Administration. Many others are copies of court documents filed or issued in other courts;

MEMORANDUM AND ORDER

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another series consists of the instructions and a partially-completed form to be filed with the Federal Election Commission. Yet another is a copy of an affidavit dated May 10, 2007 from an individual in India who claims to be the mother of two of Plaintiff's children and who wishes to join him in the United States. The unifying theme among these documents is the illegible handwritten notations scrawled across them.

Although it is difficult to discern whom Plaintiff intends to name as defendants, as the submissions do not contain a traditional caption, the papers include several "Lists of Defendants," which include various named and unnamed New York State and federal officials and agencies, news organizations, private companies, and private parties.

The submissions also fail to conform to Rule 8 of the Federal Rules of Civil Procedure, in that they fail to contain "(1) a short and plain statement of the grounds upon which the court's jurisdiction depends . . . (2) a short and plain statement of the claim showing that the pleader is entitled to relief, and (3) a demand for judgment for the relief the pleader seeks." Fed. R. Civ. P. 8(a). Even in those rare moments that the Court is able to make out a coherent sentence or phrase, the Court can discern no cause of action, nor any factual allegations, that might serve as the basis for a cause of action in federal court. Indeed, nothing about these submissions is "simple, concise, and direct," as directed by Rule 8(e)(1).

These submissions by Plaintiff are apparently not uncommon in the federal district courts. On January 8, 2007, this Court received a similar submission, which was docketed as 07-CV-0340 (DLI), and dismissed *sua sponte* as frivolous and for failure to state a claim and for failure to conform to Rule 8(a) of the Federal Rules of Civil Procedure. Moreover, among Plaintiff's current set of documents, the Court finds several references to prior court cases filed by Mr. Roy in district courts throughout the country. Thus alerted to Mr. Roy's litigious habits, this Court

finds a most instructive list of his past filings in *Roy v. United States*, No. 06-685-SLR, 2007 WL 1109296, *1 (D. Del. Apr. 11, 2007, as amended Apr. 24, 2007) (collecting cases).

Of greatest concern to this Court is the finding and permanent injunction issued by the United States District Court for the District of Delaware. On May 4, 2007, that Court prohibited Mr. Roy from filing any subsequent cases, after it found sewing needles stuck into two pages of his complaint, putting court personnel at risk. *Kamal Karna Roy a/k/a/ Jungle Democracy v. CBS Inc., et al*, No. 07-206-SLR (D. Del. May 4, 2007) (permanently enjoining future filings after finding sharp, two-inch needles stuck into papers).

Having reviewed the two most recent sets of documents filed in this Court, the Court *sua sponte* dismisses these actions for failure to conform with Rule 8, *see Simmons v. Abruzzo*, 49 F.3d 83, 86 (2d Cir. 1995) (stating that “[w]hen a complaint fails to comply with these requirements, the district court has the power, on motion or *sua sponte*, to dismiss the complaint”), and because the actions are frivolous, 28 U.S.C. § 1915(e)(2)(B) (requiring a district court to dismiss a case if the court determines that the action “(i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief”).

Finally, Mr. Roy is warned that the future filing of vexatious and frivolous litigation may result in the imposition of an injunction prohibiting him from making future filings without leave of the Court. *See In re Sassower*, 20 F.3d 42, 44 (2d Cir. 1994) (“With respect to civil litigation, courts have recognized that the normal opportunity to initiate lawsuits may be limited once a litigant has demonstrated a clear pattern of abusing the litigation process by filing vexatious and frivolous complaints.”)

CONCLUSION

For the reasons set forth above, the complaints are dismissed as frivolous and for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B) and for failure to conform to Rule 8(a) of the Federal Rules of Civil Procedure. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith, and, therefore, *in forma pauperis* status is denied for purpose of an appeal. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: Brooklyn, New York
December 5, 2007

_____/s/_____
DORA L. IRIZARRY
United States District Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CIVIL

JUDGMENT

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Pursuant to the memorandum and order issued November 29, 2007 by the Honorable
Dora L. Irizarry, United States District Judge, dismissing these actions, it is

ORDERED, ADJUDGED AND DECREED: That the above-entitled civil actions are
hereby dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B). The Court certifies pursuant to 28
U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith, and, therefore, *in forma*
pauperis status is denied for purpose of an appeal.

Dated: Brooklyn, New York
November 29, 2007

DORA L. IRIZARRY
United States District Judge